THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.21033 of 2007

Dated:05.10.2007

Between

N.Yoganandham

..Petitioner

and

1.The Regional Manager, APSRTC,
Hyderabad City Region JBS, Picket,
Secunderabad and another.

…Respondent

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.21033 of 2007

ORDER:

The only grievance of the petitioner is that on attaining the age of superannuation he retired from service on 31.5.2007, however, the gratuity for the period from 24.2.1986 to 7.9.1996 was not paid to him. It is the case of the petitioner that during the said period, he was kept out of employment due to illegal order of termination passed by the respondents and the said termination was set aside by this Court in WP No.14695 of 1991. Aggrieved by the same, the respondents filed W.A.339 of 1995 and the same was disposed of on 13.8.1996 granting reinstatement with continuity of service, but without back wages. Further, it is the case of the petitioner that in

view of the order passed by this Court in the said writ appeal, he is also entitled to reckon the said service between 24.2.1986 to 7.9.1996 i.e., between date of termination and date of reinstatement for gratuity amounts, as per his eligibility, but the same were not paid.

I am of the opinion that once there is an order that the petitioner is entitled for continuity of service, he is also entitled for the benefit of gratuity for the said period.

Therefore, the respondents are directed to pay gratuity to the petitioner from 24.2.1986 to 7.9.1996, as per his eligibility, within a period of two months from the date of receipt of copy of this order.

Writ petition is accordingly disposed of. No costs.

_____

05-10-2007

rkk